

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff

v.

CHARLES BURTON RITCHIE, et al.,

Defendant

Case No.: 2:15-cr-00285-APG-PAL

**Order (1) Granting Joinder, (2) Accepting
Magistrate Judge's Report of Findings and
Recommendation, and (3) Denying Motion
to Suppress**

[ECF Nos. 167, 206, 214, 215, 216]

On February 23, 2018, defendant Charles Burton Ritchie moved to suppress evidence found during a search of a warehouse in Las Vegas, Nevada.¹ Ritchie's co-defendants Benjamin Galecki and Ryan Eaton moved to join the motion to suppress.² On June 20, 2018, Magistrate Judge Leen granted the motions to join but recommended that the motion to suppress be denied.³ She found that Ritchie's motion was nearly identical to Galecki's 2016 motion to suppress, raising the same issues and supported by the same evidence. Accordingly, she interpreted Ritchie's motion as seeking reconsideration of Galecki's motion and denied it because Ritchie and his co-defendants had not (1) presented new evidence or law to support their claim that they have standing to challenge the search of the warehouse or (2) shown that the court committed clear error in denying the original motion to suppress.

Ritchie objected to that recommendation,⁴ and Galecki and Eaton move to join his objections.⁵ I have conducted a de novo review of the issues to which Ritchie objected, as

¹ ECF No. 167.

² ECF Nos. 169, 172.

³ ECF No. 206.

⁴ ECF No. 214.

⁵ ECF Nos. 215, 216.

1 required under Local Rule IB 3-2. Judge Leen's Report of Findings and Recommendation sets
2 forth the proper legal analysis and factual bases for the decision, and I adopt it as my own.

3 IT IS ORDERED that Galecki and Eaton's motions for joinder (**ECF Nos. 215, 216**) are
4 **granted.**

5 IT IS FURTHER ORDERED that Magistrate Judge Leen's Report of Findings and
6 Recommendation (**ECF No. 206**) is **accepted** in its entirety. Defendant Ritchie's motion to
7 suppress (**ECF No. 167**) is **denied.**

8 DATED this 13th day of December, 2018.

9
10 
11 _____
12 ANDREW P. GORDON
13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23